



**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION**



This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

MUNICIPALITY	Franklin Lakes	COUNTY	Bergen
COAH REGION	<u>1</u>	PLANNING AREA(S)	1
SPECIAL RESOURCE AREA(S)	None		
PREPARER NAME	Paul Grygiel	TITLE	Principal
EMAIL	Pgrygiel@Ppsaplaning.Com	PHONE NO.	212-475-3030
ADDRESS	434 Sixth Avenue New York, NY 10011	FAX NO.	212-475-0913
MUNICIPAL HOUSING LIAISON	Gregory Hart	TITLE	Borough Administrator
EMAIL	Ghart@Franklinlakes.Org	PHONE NO.	201-891-0048 x1201
ADDRESS	<u>480 Dekorte Drive</u> <u>Franklin Lakes, NJ 07417</u>	FAX NO.	201-891-9453

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	<u>COAH</u>	<u>JOC</u>	<u>N/A</u>
First Round	_____	_____	<input checked="" type="checkbox"/>
Second Round	_____	<u>9/27/2002</u>	<input type="checkbox"/>
Extended Second Round	_____	_____	<input checked="" type="checkbox"/>

Does the Petition include any requests for a waiver from COAH Rules? ☒ Yes ☐ No
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section: 2.5 (p. 22); 5.6(e) (p. 20)

HOUSING ELEMENT
(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by¹:

- ☒ Age;
- ☒ Condition;
- ☒ Purchase or rental value;
- ☒ Occupancy characteristics; and
- ☒ Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

☒ Yes, Page Number: 4 ☐ No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to²:

- ☒ Population trends
- ☒ Household size and type
- ☒ Age characteristics
- ☒ Income level
- ☒ Employment status of **residents**

☒ Yes, Page Number: 8 ☐ No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to³:

- ☒ Most recently available in-place employment by industry sectors and number of persons employed;
- ☒ Most recently available employment trends; and
- ☒ Employment outlook

☒ Yes, Page Number: 11 ☐ No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections.
AND

- ☐ Number of units for which certificates of occupancy were issued since January 1, 2004;
- ☐ Pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- ☐ The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/coah/planningtools/gscalculators.shtml)

- ☐ Yes, Page Number: _____
- ☐ No (incomplete)
- ☐ Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

- ☐ Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
 - ☐ Square footage of pending, approved and anticipated applications for development;
 - ☐ Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
 - ☐ Demolition permits issued and projected for previously occupied non-residential space; and
 - ☐ The worksheet for determining a higher non-residential growth projection provided by COAH.
- ☐ Yes, Page Number: _____ ☐ No (incomplete)
- ☐ Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

- ☒ Rehabilitation share (from Appendix B);
- ☒ Prior round obligation (from Appendix C); and
- ☒ Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the "need" column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the "Need" column.

Line		<u>Need</u>
1	<input type="radio"/> Rehabilitation Share (From N.J.A.C. 5:97 Appendix B) OR	<u>3</u>
2	<input type="radio"/> Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit _____.)	<u> </u>
		<u>Need</u>
3	<input type="radio"/> Prior Round (1987-1999) Affordable Housing Obligation (From N.J.A.C. 5:97 Appendix C)	<u>358</u>
	<input type="radio"/> Prior Round Adjustments:	
	<input type="radio"/> 20% Cap Adjustment	<u>0</u>
	<input type="radio"/> 1000 Unit Cap Adjustment	<u>0</u>
4	Total Prior Round Adjustments	<u>0</u>
5	Adjusted Prior Round Obligation: (Number in Appendix C minus Total Prior Round Adjustment(s))	<u>358</u>
	<input type="radio"/> Prior Round Vacant Land Adjustment (Unmet Need)	<u>249</u>
6	Realistic Development Potential(RDP) ¹	<u>109</u>

¹ RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	<u>Completed</u>	<u>Proposed</u>	<u>Total</u>
Rehabilitation Share			<u>3</u>
<i>Less: Rehabilitation Credits</i>	<u>0</u>		<u>0</u>
Rehab Program(s)		<u>3</u>	<u>3</u>
Remaining Rehabilitation Share			<u>0</u>
Prior Round (1987-1999 New Construction) Obligation			<u>358</u>
<i>Less: Vacant Land Adjustment (If Applicable)</i>			
(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):			<u>249</u>
Unmet Need			<u>249</u>
RDP	<u>84</u>	<u>25</u>	<u>109</u>
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)			<u>0</u>
Credits without Controls			<u>0</u>
Inclusionary Development/Redevelopment	<u>30</u>	<u>16</u>	<u>46</u>
100% Affordable Units			<u>0</u>
Accessory Apartments	<u>0</u>	<u>9</u>	<u>9</u>
Market-to-Affordable			<u>0</u>
Supportive & Special Needs			<u>0</u>
Assisted Living			<u>0</u>
RCA Units previously approved	<u>54</u>	<u>0</u>	<u>54</u>
Other			<u>0</u>
Prior Round Bonuses			<u>0</u>
Remaining Prior Round Obligation	<u>84</u>	<u>25</u>	<u>109</u>
Third Round Projected Growth Share Obligation			<u>72</u>
<i>Less: Mechanisms addressing Growth Share</i>			
Inclusionary Zoning	<u>0</u>	<u>20</u>	<u>20</u>
Redevelopment			<u>0</u>
100% Affordable Development	<u>0</u>	<u>12</u>	<u>12</u>
Accessory Apartments			<u>0</u>
Market-to-Affordable Units			<u>0</u>
Supportive & Special Need Units	<u>0</u>	<u>5</u>	<u>5</u>
Assisted Living: post-1986 Units	<u>0</u>	<u>18</u>	<u>18</u>
Other Credits			<u>0</u>
Compliance Bonuses			<u>0</u>
Smart Growth Bonuses			<u>0</u>
Redevelopment Bonuses			<u>0</u>
Rental Bonuses	<u>0</u>	<u>18</u>	<u>18</u>
Growth Share Total	<u>0</u>	<u>73</u>	<u>73</u>
Remaining (Obligation) or Surplus			<u>1</u>

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at www.nj.gov/dca/coah/planningtools/checklists.shtml.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed (use <u>Rehabilitation Unit Survey Form</u>)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location ¹
1. <u>Municipal Progra</u>	<u>Proposed</u>	<u>Both</u>	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age- restricted Cap	Checklist or Form Appendix Location ¹
16. Inclusionary Zoning	Growth Share Zoning	Proposed	20	20	20	0	—
17. Assisted Living Residence	Growth Share Zoning	Proposed	18	18	0	18	—
18. Supportive/Special Needs	Special Needs	Proposed	5	5	0	0	—
19. 100% Affordable	Municipally Sponsored	Proposed	12	12	12	0	—
20. Rental Bonus	Rental Bonus	Proposed	18	0	0	0	—
21.							—
22.							—
23.							—
24.							—
25.							—
26.							—
27.							—
28.							—
29.							—
30.							—

Subtotal from any additional pages used 0 **Total units (proposed and completed)** 73

Total family units

32

Total rental units

55

Total age-restricted units

18

Total family rental units

32

Total Supportive/Special Needs units

5

Total very-low units

7

Total Special Needs bedrooms

5

Total bonuses

18

Please add additional sheets as necessary.

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to question 5.

☒ Yes ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of ____% and a Non-residential fee of 2.5%

- ☐ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
- ☐ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)
- ☐ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)
- ☐ A description of collection procedures per N.J.A.C. 5:97-8.3(f)
- ☐ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)
- ☐ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)
- ☐ If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

☒ Yes (Specify actual or anticipated amount) \$727783

☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.**

- If yes, what kind of assistance is offered?

Subsidizing very low-income units; assistance with downpayments, security deposits, homeowners association/condo fees and special assessments, emergency repairs; low interest loans

- Has an affordability assistance program manual been submitted? ☐ Yes ☒ No

¹ Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

SPENDING PLANS (N.J.A.C. 5:97-8.10)

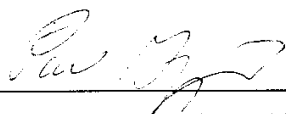
1. Does the petition include a Spending Plan? (**Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.**)
☒ Yes ☐ No
2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to next section - Affordable Housing Ordinance.
☒ Yes ☐ No
3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

- ☐ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;
- ☐ A projection of revenues anticipated from other sources (specify source(s) and amount(s));
- ☐ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- ☐ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;
- ☐ A schedule for the expenditure of all affordable housing trust funds;
- ☐ A schedule for the creation or rehabilitation of housing units;
- ☐ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;
- ☐ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;
- ☐ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;
- ☐ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and
- ☐ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

CERTIFICATION

I, PAUL CRYGIEL, have prepared this petition application for substantive certification on behalf of THE BOROUGH OF FRANKLIN LAKES. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

 DECEMBER 24, 2008
Signature of Preparer (affix seal if applicable) Date

BOROUGH PLANNING CONSULTANT
Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Worksheet A: Growth Share Determination Using Published Data

(Appendix F(2), Allocating Growth To Municipalities)

COAH Growth Projections

Must be used in all submissions

Municipality Name: Borough of Franklin Lakes

Enter the COAH generated growth projections form Appendix F(2) found at the back of N.J.A.C. 17:27 at sep on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	700	114
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	15	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	85	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	600	114
Projected Growth Share (Conversion to Affordable Units	120.00 Affordable Units	7.13 Affordable Units
5 Divide HH by 5 and Jobs by 16)		
6 Total Projected Growth Share Obligation		127 Affordable Units

[Click Here to return to Workbook C Summary](#)

* For Residential Growth, See Appendix F(2), Figure A.1, Housing Units by Municipality. For Non-residential Growth, See Appendix F(2), Figure A.2, Employment by Municipality

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Borough of Franklin Lakes

Prior Round Affordable Units NOT included in Inclusionary Developments Built Post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	0

Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
University Heights	Y	100	85	15	85
		0			0
		0			0
		0			0
		0			0
Total		100	85	15	85

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	0	0

When finished, click here to return to Worksheet A

Summary of Adjusted Growth Share Projection Based On Land Capacity

(Introduction to Workbook C)

Municipality Name: Borough of Franklin Lakes

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. The Worksheet is a tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the projected Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.
[Click Here to complete Worksheet A](#)

Municipalities seeking to request a downward adjustment to the COAH-generated growth projections may do so by providing a detailed analysis of municipal land capacity. After completing this analysis, the growth projections may be lowered if the resulting growth share obligation results in a figure that is at least 10 percent lower than the projected Growth Share Obligation that would result from the COAH-generated growth projections. Actual growth must first be determined using the Actual Growth worksheet. A growth projection adjustment may only apply to any remaining growth.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Complete the Residential Parcel Inventory and Capacity Analysis](#)

[Click Here to Complete the Non-residential Parcel Inventory and Capacity Analysis](#)

Summary Of Worksheet Comparison

	COAH Projected Growth Share (From Worksheet A)	Growth Share Based on Municipal Capacity (From Worksheet C)
Residential Growth	700	412
Residential Exclusions	100	100
Net Residential Growth	600	312
Residential Growth Share	120.00	62.40
Non-Residential Growth	114	155
Non-Residential Exclusions	0	0
Net Non- Residential Growth	114	155
Non-Residential Growth Share	7.13	9.67
Total Growth Share	127	72

The Municipal land capacity analysis results in a reduction to the COAH-generated growth projection. Please file Workbook C and use a Residential Growth Share of 62.4 plus a Non-residential Growth Share of 9.67 for a total Growth Share Obligation of 72 affordable units

Borough of Franklin Lakes Growth Projection Adjustment - Residential Parcel Inventory

Block	Lot	Address	Owner	Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
1609	1.02	160 PULIS AVENUE	MERRILL LYNCH BANK USA	1	N	Y		0.40	0.01	environmental	0.39	2.00	1
2401.03	3	674-678 FRANKLIN AVENUE	BECTION DICKINSON REAL ESTATE INC	1	N	Y		1.15	0.00	environmental	1.15	2.00	2
2504	1	461 PULIS AVENUE	LEE, WILLIAM W. K. & HWAIN	1	N	Y		1.03	0.00	environmental	1.03	2.00	2
2547.02	3	453 DEKORTE DRIVE	BOROUGH OF FRANKLIN LKS	1	N	Y		0.42	0.00	environmental	0.42	2.00	1
2702	1	200 WOODSIDE AVENUE	PALMINTERI, ANTHONY & GAIL	1	N	Y		6.32	0.45	environmental	5.87	1.00	5
2704	1.01	26 PULIS AVENUE	PULIS AVE ASSOC LLC	1	N	Y		0.92	0.36	environmental	0.56	2.00	1

OTHER LOTS WITH APPROVED/UNDER CONSTRUCTION DWELLINGS

47.00

[Click Here to Return to Workbook C Summary](#)

[Click Here to Proceed to Non-residential Parcel Inventory and Capacity Analysis](#)

• Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

[Add More sheets](#)

Subtotal This Page 59.00
 Subtotal Page 2 0.00
 Subtotal Page 3 0.00
 Subtotal Page 4 0.00
Grand Total 59.00

